



General Assembly

January Session, 2017

Raised Bill No. 894

LCO No. 4246



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

***AN ACT ESTABLISHING THE STATE OVERSIGHT COUNCIL ON
CHILDREN AND FAMILIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-4 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) There shall be a State [Advisory] Oversight Council on Children
4 and Families which shall consist of [nineteen members as follows] the
5 following members: (1) [Thirteen] The Governor, or the Governor's
6 designee; (2) six members appointed by the [Governor] president pro
7 tempore of the Senate, including two persons who are child care
8 professionals, two persons eighteen to twenty-five years of age,
9 inclusive, served by the Department of Children and Families, one
10 child psychiatrist licensed to practice medicine in this state and one
11 attorney who has expertise in legal issues related to children and
12 youth; [and seven persons] and (3) six members appointed by the
13 speaker of the House of Representatives, who shall be representative
14 of young persons, parents and others interested in the delivery of
15 services to children and youths, including child protection, behavioral

16 health, juvenile justice and prevention services, at least [four] three of
17 whom shall be parents, foster parents or family members of children
18 who have received, or are receiving, behavioral health services, child
19 welfare services or juvenile services; (4) the cochairpersons and
20 ranking members of the joint standing committees of the General
21 Assembly having cognizance of matters relating to children,
22 appropriations and human services or such cochairpersons' and
23 ranking members' designees; (5) the Chief Court Administrator, or the
24 Chief Court Administrator's designee; (6) a judge of the superior court
25 for juvenile matters, appointed by the Chief Justice; (7) the Chief Public
26 Defender, or the Chief Public Defender's designee; and [(2)] (8) six
27 members representing the regional advisory councils established
28 pursuant to section 17a-30, appointed one each by the members of each
29 council. On and after October 1, [2014] 2017, no more than half the
30 members of the council shall be persons who receive income from a
31 private practice or any public or private agency that delivers mental
32 health, substance abuse, child abuse prevention and treatment, child
33 welfare services or juvenile services. Members of the council shall
34 serve without compensation, except for necessary expenses incurred in
35 the performance of their duties. The Department of Children and
36 Families shall provide the council with funding to facilitate the
37 participation of those members representing families and youth, as
38 well as for other administrative support services. Members shall serve
39 on the council for terms of two years each and no member shall serve
40 for more than three consecutive terms. The [commissioner]
41 Commissioner of Children and Families shall be an ex-officio member
42 of the council without vote and shall attend its meetings. Any member
43 who fails to attend three consecutive meetings or fifty per cent of all
44 meetings during any calendar year shall be deemed to have resigned.
45 [The council shall elect a chairperson and vice-chairperson to act in the
46 chairperson's absence.] The Governor, or the Governor's designee, and
47 a member of the General Assembly or such member's designee
48 selected jointly by the president pro tempore of the Senate and the
49 speaker of the House of Representatives from among the members

50 serving pursuant to subdivision (4) of this subsection shall be
51 cochairpersons of the committee.

52 (b) The [council] State Oversight Council on Children and Families
53 shall meet quarterly, and more often upon the call of the [chair]
54 chairpersons or a majority of the members. The council's meetings
55 shall be held at locations that facilitate participation by members of the
56 public, and its agenda and minutes shall be posted on the
57 [department's] Department of Children and Families' Internet web site.
58 A majority of the members in office [, but not less than six members,]
59 shall constitute a quorum. The council shall have complete access to all
60 records of the institutions and facilities of [the] such department in
61 furtherance of its duties, while at all times protecting the right of
62 privacy of all individuals involved, as provided in section 17a-28.

63 (c) The duties of the [council] State Oversight Council on Children
64 and Families shall be to: (1) Recommend to the [commissioner]
65 Commissioner of Children and Families programs, legislation or other
66 matters which will improve services for children and youths, including
67 behavioral health services; (2) annually review and advise [the] said
68 commissioner regarding the proposed budget; (3) interpret to the
69 community at large the policies, duties and programs of the
70 [department] Department of Children and Families; [(4) issue any
71 reports it deems necessary to the Governor and the Commissioner of
72 Children and Families; (5)] (4) assist in the development of and review
73 and comment on the strategic plan developed by [the] such
74 department pursuant to subsection (b) of section 17a-3, as amended by
75 this act; [(6)] (5) receive on a quarterly basis from [the] said
76 commissioner a status report on [the] such department's progress in
77 carrying out [the] such strategic plan; [(7)] (6) independently monitor
78 [the] such department's progress in achieving its goals as expressed in
79 [the] such strategic plan; and [(8)] (7) offer assistance and provide an
80 outside perspective to [the] such department so that it may [be able to]
81 achieve the goals expressed in [the] such strategic plan.

82 (d) Not later than January 1, 2018, and annually thereafter, the State
 83 Oversight Council on Children and Families shall submit a report, in
 84 accordance with the provisions of section 11-4a of the general statutes,
 85 to the joint standing committee of the General Assembly having
 86 cognizance of matters relating to children. Such report shall include
 87 recommendations regarding (1) the implementation of the Department
 88 of Children and Families' family assessment response program,
 89 focusing on the effectiveness of initial risk assessments,
 90 appropriateness of referrals and monitoring and outcomes for
 91 children, youths and families involved in such program; (2) such
 92 department's foster care program, including licensing policies and
 93 practices, focusing on the initial screening of prospective foster
 94 parents, identification and mitigation of risks to children and youths
 95 and statutory and regulatory compliance; (3) such department's risk
 96 assessment tools, focusing on such tools' reliability and efficacy and
 97 the consistency of such tools' application by department personnel; (4)
 98 the use of voluntary agreements with the parents or guardians of
 99 children and youths who are at risk for or are victims of abuse or
 100 neglect, focusing on the appropriateness of the use of such agreements,
 101 whether such agreements address and mitigate identified risks and
 102 how compliance with such agreements is monitored by such
 103 department; and (5) legislative proposals, if appropriate.

104 Sec. 2. Subsection (f) of section 2c-2h of the general statutes is
 105 repealed and the following is substituted in lieu thereof (*Effective July*
 106 *1, 2017*):

107 (f) Not later than July 1, 2019, and not later than every ten years
 108 thereafter, the joint standing committee of the General Assembly
 109 having cognizance of any of the following governmental entities or
 110 programs shall conduct a review of the applicable entity or program in
 111 accordance with the provisions of section 2c-3:

112 (1) Board of Examiners of Psychologists, established under section
 113 20-186;

- 114 (2) State Dental Commission, established under section 20-103a;
- 115 (3) State Board of Examiners for Professional Engineers and Land
116 Surveyors, established under section 20-300;
- 117 (4) Heating, Piping, Cooling and Sheet Metal Work Board,
118 established under section 20-331;
- 119 (5) [Advisory] State Oversight Council on Children and Families,
120 established under section 17a-4, as amended by this act;
- 121 (6) Regulation of speech and language pathologists pursuant to
122 chapter 399;
- 123 (7) Connecticut Siting Council, established under section 16-50j; and
- 124 (8) Advisory Council for Special Education, established under
125 section 10-76i.
- 126 Sec. 3. Section 17a-1 of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective July 1, 2017*):
- 128 As used in sections 17a-1 to 17a-26, inclusive, as amended by this
129 act, 17a-28 to 17a-49, inclusive, 17a-127 and 46b-120, unless otherwise
130 provided in said sections:
- 131 (1) "Commissioner" means the Commissioner of Children and
132 Families;
- 133 (2) "Council" means the State [Advisory] Oversight Council on
134 Children and Families;
- 135 (3) "Advisory committee" means the Children's Behavioral Health
136 Advisory Committee;
- 137 (4) "Department" means the Department of Children and Families;
- 138 (5) "Child" means a child, as defined in section 46b-120;

139 (6) "Youth" means a youth, as defined in section 46b-120;

140 (7) "Delinquent child" means a child convicted of a delinquent act,
141 as defined in section 46b-120;

142 (8) "Child or youth with behavioral health needs" means a child or
143 youth who is suffering from one or more mental disorders as defined
144 in the most recent edition of the American Psychiatric Association's
145 "Diagnostic and Statistical Manual of Mental Disorders";

146 (9) "Individual service plan" means a written plan to access
147 specialized, coordinated and integrated care for a child or youth with
148 complex behavioral health service needs that is designed to meet the
149 needs of the child or youth and his or her family and may include,
150 when appropriate (A) an assessment of the individual needs of the
151 child or youth, (B) an identification of service needs, (C) an
152 identification of services that are currently being provided, (D) an
153 identification of opportunities for full participation by parents or
154 emancipated minors, (E) a reintegration plan when an out-of-home
155 placement is made or recommended, (F) an identification of criteria for
156 evaluating the effectiveness and appropriateness of such plan, and (G)
157 coordination of the individual service plan with any educational
158 services provided to the child or youth. The plan shall be subject to
159 review at least every six months or upon reasonable request by the
160 parent based on a changed circumstance, and be approved, in writing,
161 by the parents, guardian of a child or youth and emancipated minors;

162 (10) "Family" means a child or youth with behavioral health needs
163 and (A) one or more biological or adoptive parents, except for a parent
164 whose parental rights have been terminated, (B) one or more persons
165 to whom legal custody or guardianship has been given, or (C) one or
166 more adults who have a primary responsibility for providing
167 continuous care to such child or youth;

168 (11) "Parent" means a biological or adoptive parent, except a parent
169 whose parental rights have been terminated;

170 (12) "Guardian" means a person who has a judicially created
171 relationship between a child or youth and such person that is intended
172 to be permanent and self-sustaining as evidenced by the transfer to
173 such person of the following parental rights with respect to the child or
174 youth: (A) The obligation of care and control; (B) the authority to make
175 major decisions affecting the child's or youth's welfare, including, but
176 not limited to, consent determinations regarding marriage, enlistment
177 in the armed forces and major medical, psychiatric or surgical
178 treatment; (C) the obligation of protection of the child or youth; (D) the
179 obligation to provide access to education; and (E) custody of the child
180 or youth;

181 (13) "Serious emotional disturbance" and "seriously emotionally
182 disturbed" means, with regard to a child or youth, that the child or
183 youth (A) has a range of diagnosable mental, behavioral or emotional
184 disorders of sufficient duration to meet diagnostic criteria specified in
185 the most recent edition of the American Psychiatric Association's
186 "Diagnostic and Statistical Manual of Mental Disorders", and (B)
187 exhibits behaviors that substantially interfere with or limit the child's
188 or youth's ability to function in the family, school or community and
189 are not a temporary response to a stressful situation;

190 (14) "Child or youth with complex behavioral health service needs"
191 means a child or youth with behavioral health needs who needs
192 specialized, coordinated behavioral health services;

193 (15) "Transition services" means services in the areas of education,
194 employment, housing and community living designed to assist a youth
195 with a serious emotional disturbance who is transitioning into
196 adulthood; and

197 (16) "Community collaborative" means a local consortium of public
198 and private health care providers, parents and guardians of children
199 with behavioral health needs and service and education agencies that
200 have organized to develop coordinated comprehensive community

201 resources for children or youths with complex behavioral health
202 service needs and their families in accordance with principles and
203 goals of Connecticut Community KidCare.

204 Sec. 4. Subsection (b) of section 17a-3 of the general statutes is
205 repealed and the following is substituted in lieu thereof (*Effective July*
206 *1, 2017*):

207 (b) (1) The department, with the assistance of the State [Advisory]
208 Oversight Council on Children and Families, and in consultation with
209 representatives of the children and families served by the department,
210 providers of services to children and families, advocates, and others
211 interested in the well-being of children and families in this state, shall
212 develop and regularly update a single, comprehensive strategic plan
213 for meeting the needs of children and families served by the
214 department. In developing and updating the strategic plan, the
215 department shall identify and define agency goals and indicators of
216 progress, including benchmarks, in achieving such goals. The strategic
217 plan shall include, but not be limited to: (A) The department's mission
218 statement; (B) the expected results for the department and each of its
219 mandated areas of responsibility; (C) a schedule of action steps and a
220 time frame for achieving such results and fulfilling the department's
221 mission that includes strategies for working with other state agencies
222 to leverage resources and coordinate service delivery; (D) priorities for
223 services and estimates of the funding and other resources necessary to
224 carry them out; (E) standards for programs and services that are based
225 on research-based best practices, when available; and (F) relevant
226 measures of performance.

227 (2) The department shall begin the strategic planning process on
228 July 1, 2009. The department shall hold regional meetings on the plan
229 to ensure public input and shall post the plan and the plan's updates
230 and progress reports on the department's web site. The department
231 shall submit the strategic plan to the State [Advisory] Oversight
232 Council on Children and Families for review and comment prior to its

233 final submission to the General Assembly and the Governor. On or
234 before July 1, 2010, the department shall submit the strategic plan, in
235 accordance with section 11-4a, to the General Assembly and the
236 Governor.

237 (3) The commissioner shall track and report on progress in
238 achieving the strategic plan's goals not later than October 1, 2010, and
239 quarterly thereafter, to said State [Advisory Council] Oversight
240 Council on Children and Families. The commissioner shall submit a
241 status report on progress in achieving the results in the strategic plan,
242 in accordance with section 11-4a, not later than July 1, 2011, and
243 annually thereafter to the General Assembly, the joint standing
244 committee of the General Assembly having cognizance of matters
245 relating to children and the Governor.

246 Sec. 5. Subsections (e) and (f) of section 17a-4a of the general statutes
247 are repealed and the following is substituted in lieu thereof (*Effective*
248 *July 1, 2017*):

249 (e) Not later than October first of each year, the advisory committee
250 shall submit a status report on local systems of care and practice
251 standards for state-funded behavioral health programs to the
252 Commissioner of Children and Families and the State [Advisory]
253 Oversight Council on Children and Families.

254 (f) Not later than October first of each odd-numbered year, the
255 advisory committee shall submit recommendations concerning the
256 provision of behavioral health services for all children in the state to
257 the Commissioner of Children and Families and the State [Advisory]
258 Oversight Council on Children and Families. The recommendations
259 shall address, but shall not be limited to, the following: (1) The target
260 population for children with behavioral health needs, and assessment
261 and benefit options for children with such needs; (2) the
262 appropriateness and quality of care for children with behavioral health
263 needs; (3) the coordination of behavioral health services provided

264 under the HUSKY Health program with services provided by other
265 publicly-funded programs; (4) performance standards for preventive
266 services, family supports and emergency service training programs; (5)
267 assessments of community-based and residential care programs; (6)
268 outcome measurements by reviewing provider practice; and (7) a
269 medication protocol and standards for the monitoring of medication
270 and after-care programs.

271 Sec. 6. Subsection (m) of section 17a-6 of the general statutes is
272 repealed and the following is substituted in lieu thereof (*Effective July*
273 *1, 2017*):

274 (m) Submit to the [state advisory council] State Oversight Council
275 on Children and Families for its comment proposals for new policies or
276 programs and the proposed budget for the department;

277 Sec. 7. Section 17a-9 of the general statutes is repealed and the
278 following is substituted in lieu thereof (*Effective July 1, 2017*):

279 (a) The commissioner shall appoint, after consultation with the
280 [state advisory council] State Oversight Council on Children and
281 Families, and may remove in a like manner, two deputy
282 commissioners who shall be in the unclassified service. The deputy
283 commissioner for program services shall be a clinically competent
284 professional person experienced in one or more fields of children's
285 services and in the administration of such services, and shall be
286 responsible for the supervision of all clinical treatment and program
287 services of the department. The deputy commissioner of
288 administrative services shall have experience in business or
289 institutional administration and shall be responsible for the
290 organizational and general administrative services of the department.

291 (b) The commissioner shall appoint, after consultation with the
292 [state advisory council] State Oversight Council on Children and
293 Families, and may remove in like manner, not more than two program
294 directors who shall be in the unclassified service, provided the title or

295 duties of any director appointed pursuant to this subsection may be
296 changed as the commissioner deems necessary after consultation with
297 the state advisory council. Such directors may oversee community
298 programs and services and the operation of institutions and facilities.

299 (c) The commissioner shall, in accordance with chapter 67 and after
300 consultation with the [state advisory council] State Oversight Council
301 on Children and Families, appoint the administrative heads of all of
302 the institutions and facilities transferred to the department and such
303 other institutions and facilities as now are or hereafter may be
304 established by or transferred to the department. Such administrative
305 heads shall have skill and experience in the administration of
306 children's services and shall manage their institutions and facilities in
307 accordance with the regulations and orders of the commissioner.

308 (d) The commissioner shall, after consultation with the [state
309 advisory council] State Oversight Council on Children and Families,
310 appoint and may remove in a like manner, up to six regional directors
311 who shall be in the unclassified service. Each regional director shall
312 have skill and experience in the field of children's services and in the
313 administration of such services. Each regional director shall be subject
314 to the direction of the commissioner and shall be responsible for the
315 operation and administration of services provided or funded by the
316 department in the regions created by the commissioner pursuant to
317 subsection (a) of section 17a-30.

318 Sec. 8. Section 17a-32a of the general statutes is repealed and the
319 following is substituted in lieu thereof (*Effective July 1, 2017*):

320 (a) The facilities that come under the jurisdiction of the Department
321 of Children and Families, as enumerated in section 17a-32, shall submit
322 an annual report to the State [Advisory] Oversight Council on
323 Children and Families and to their respective advisory groups,
324 established pursuant to subsection (b) of section 17a-6. The report shall
325 include, but not be limited to: (1) Aggregate profiles of the residents;

326 (2) a description of and update on major initiatives; (3) key outcome
 327 indicators and results; (4) costs associated with operating the facility;
 328 and (5) a description of educational, vocational and literacy programs,
 329 and behavioral, treatment and other services available to the residents
 330 and their outcomes. Each report submitted pursuant to this subsection
 331 shall be posted on the department's web site.

332 (b) Such advisory groups shall respond to their facility's annual
 333 report, submitted pursuant to subsection (a) of this section, and
 334 provide any recommendations for improvement or enhancement that
 335 they deem necessary.

336 (c) The Department of Children and Families shall serve as
 337 administrative staff of such advisory groups.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2017</i>	17a-4
Sec. 2	<i>July 1, 2017</i>	2c-2h(f)
Sec. 3	<i>July 1, 2017</i>	17a-1
Sec. 4	<i>July 1, 2017</i>	17a-3(b)
Sec. 5	<i>July 1, 2017</i>	17a-4a(e) and (f)
Sec. 6	<i>July 1, 2017</i>	17a-6(m)
Sec. 7	<i>July 1, 2017</i>	17a-9
Sec. 8	<i>July 1, 2017</i>	17a-32a

Statement of Purpose:

To establish the State Oversight Council on Children and Families in place of the State Advisory Council on Children and Families, and require the State Oversight Council on Children and Families to report annually to the joint standing committee of the General Assembly having cognizance of matters relating to children.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]